

REMARKS

Applicant has reviewed and considered the office action mailed on October 2, 2002 and the references cited therewith.

Claims 1-25 are now pending in the application.

Rejections Under 35 U.S.C. §103

Each of the claims 1-22 was rejected under 35 U.S.C. §103 using a combination of references. Claims 1-7, and 9-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki (U.S. Patent No. 5,610,544) in view of Nunogami (U.S. Patent No. 5,136,191). Claims 8 and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki (U.S. Patent No. 5,610,544) in view of Nunogami (U.S. Patent No. 5,136,191) and further in view of Tanaka et al. (U.S. Patent No. 6,249,145). Claims 12-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki (U.S. Patent No. 5,610,544) in view of Nunogami (U.S. Patent No. 5,136,191), Tanaka et al. (U.S. Patent No. 6,249,145), Aizaki (U.S. Patent No. 5,115,434) and in further view of LaRue et al. (U.S. Patent No. 5,027,007). Applicant respectfully traverses the rejections of claims 1-22.

The office action must provide specific, objective evidence of record for a finding of a suggestion or motivation to combine reference teachings and must explain the reasoning by which the evidence is deemed to support such a finding. *In re Sang Su Lee*, 277 F.3d 1338, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002). The office action fails to meet this burden. The statements in the office action as to why the combinations would be obvious do not constitute specific, objective evidence of record. They are merely conclusory statements. For example, as to the combination of Aoki and Nunogami, which is required for all of the rejections, the office action states: "Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the at least one transistor (61, Fig. 3) of Aoki having a threshold voltage greater than or about equal to the difference between the second supply voltage and the first supply voltage as taught by Nunogami in order to transfer a signal without troubles." However, nothing in this statement explains the reasoning that connects the specific, objective evidence of record to the finding of a suggestion or motivation to combine the reference

teachings. Note that Fig. 3 of Nunogami (specific evidence of record) includes the transistor of interest embedded in a complex feedback circuit, while Fig. 3 of Aoki (specific evidence of record) shows a two-transistor inverter. How does the transistor of interest embedded in the complex feedback circuit of Nunogami suggest an application to a two-transistor inverter circuit? (the answer to that question would be the reasoning required to connect the specific evidence of record to the finding of a suggestion or motivation to combine) Applicant respectfully submits that the complex feedback circuit of Nunogami does not suggest an application to a two-transistor inverter circuit of Aoki. Hence, the office action fails to meet the standard established by *In re Sang Su Lee* for finding a suggestion or motivation to combine the reference teachings. Thus, the office action fails to state a *prima facie* case of obviousness with respect to claims 1-22. Therefore, applicant requests withdrawal of the rejections and reconsideration and allowance of claims 1-22.

The office action does not reject claims 23-25, so applicant assumes these claims are allowed. Applicant respectfully requests that the Examiner explicitly indicate allowance of these claims in the next office action.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone applicant's attorney at 612-371-2109 to facilitate prosecution of the application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

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Date

April 2, 2003

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 2nd day of April, 2003.

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